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261438Z Oct 00

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	VC-00	H-01	TEDE-00	INR-00	L-00	VCE-00	AC-01
	NSAE-00	OMB-01	OPIC-01	PA-00	PM-00	PRS-00	ACE-00
	P-00	SP-00	SSO-00	TRSE-00	USIE-00	PMB-00	DSCC-00
	DRL-02	G-00	NFAT-00	SAS-00	SWCI-00	/006W	

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FM AMEMBASSY HARARE
TO SECSTATE WASHDC IMMEDIATE 7459
INFO NSC WASHDC IMMEDIATE
SOUTHERN AFRICAN DEVELOPMENT COMMUNITY
AMEMBASSY NAIROBI

C O N F I D E N T I A L SECTION 01 OF 02 HARARE 006082

SIPDIS

NSC FOR SENIOR AFRICA DIRECTOR GAYLE SMITH

LONDON FOR CHARLES GURNEY

PARIS FOR BISA WILLIAMS

PASS USTR FOR ROSA WHITAKER

E.O. 12958: DECL: 10/26/10

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SUBJECT: PROCESS TO IMPEACH ZIMBABWE PRESIDENT BEGINS
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REFS: A) HARARE 5951, B) HARARE 5692 (NOTAL)

CLASSIFIED BY DCM EARL M. IRVING FOR REASONS: 1.5 (B)
AND (D).

1. (C) SUMMARY: THE OPPOSITION MDC TABLED A MOTION IN PARLIAMENT OCTOBER 25 THAT BEGINS THE PROCESS FOR PRESIDENT MUGABE'S IMPEACHMENT. THE DOCUMENT CITED IN DETAIL "VIOLATIONS OF THE CONSTITUTION" AND "GROSS MISCONDUCT" RELATED TO THE PRE-ELECTION VIOLENCE, AMONG OTHER THINGS, AS THE GROUNDS FOR IMPEACHMENT. IN RESPONSE, MUGABE ISSUED A STATEMENT SAYING THAT HIS GOVERNMENT'S RECONCILIATION POLICY WITH WHITES IS IN JEOPARDY AND COULD BE REVOKED. MUGABE ALSO THREATENED TO ARREST WHITE MDC MEMBERS OF PARLIAMENT AND PUT ON TRIAL IAN SMITH AND OTHER LEADERS OF THE WHITE RHODESIAN REGIME FOR WAR CRIMES. THERE HAS BEEN NO DISCERNIBLE PUBLIC REACTION TO THESE EVENTS IN THE FORM OF PROTESTS OR CELEBRATIONS. IN THE NEXT FEW DAYS, THE MDC IS DUE TO TABLE A SECOND MOTION THAT WOULD ESTABLISH THE PROCEDURE FOR IMPEACHMENT, WHICH IS NOT CLEARLY STIPULATED IN THE CONSTITUTION. THE IMPEACHMENT MEASURES RAISE THE LEVEL OF POLITICAL TENSION ANOTHER NOTCH AND SET THE STAGE FOR A FINAL SHOWDOWN BETWEEN MUGABE AND THE OPPOSITION. END SUMMARY.

2. (C) GIBSON SIBANDA, MDC VICE-PRESIDENT AND MP FOR THE NKULUMANE SECTION OF BULAWAYO, INTRODUCED IN PARLIAMENT OCTOBER 25 A MOTION THAT SEEKS TO INVESTIGATE THE GROUNDS FOR THE IMPEACHMENT OF PRESIDENT MUGABE.
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THE MDC PRESENTED THE DOCUMENT ALONG WITH THE SIGNATURES OF 56 MDC PARLIAMENTARIANS, THEREBY OBTAINING THE NEED FOR A FLOOR VOTE (ACCORDING TO THE CONSTITUTION, 51 VOTES, OR MORE THAN ONE-THIRD OF PARLIAMENT, ARE REQUIRED TO BEGIN IMPEACHMENT PROCEEDINGS). ACCORDING TO EDDIE CROSS, THE MDC'S SECRETARY FOR ECONOMIC AFFAIRS, THE FLOOR ERUPTED INTO AN UPROAR WHEN SPEAKER MNANGAGWA ACCEPTED THE PETITION AND PROMISED TO "STUDY ITS CONTENTS." ACCORDING TO ONE OF OUR PRESS CONTACTS, MNANGAGWA ANNOUNCED IN PARLIAMENT OCTOBER 26 THAT HE WOULD FORM AN IMPEACHMENT COMMITTEE NEXT WEEK TO INVESTIGATE THE CHARGES. TENDAI BITI, MDC MP FOR HARARE EAST, HINTED TO US THAT IF MNANGAGWA OBSTRUCTS THE OPERATION OF THE COMMITTEE, THE MDC WILL TAKE HIM TO COURT.

3. (U) DESPITE MNANGAGWA'S WARNING NOT TO PUBLISH THE CONTENTS OF THE MOTION, ITS DETAILS APPEARED IN OCTOBER 26'S EDITION OF THE "DAILY NEWS." THE MOTION STIPULATES THAT MUGABE HAS WILLFULLY VIOLATED THE CONSTITUTION BY

FAILING TO UPHOLD THE LAWS OF ZIMBABWE AND HAS
"DELIBERATELY, AND IN SOME CASES CALLOUSLY, ENCOURAGED,
CONDONED, INCITED, AND SUPPORTED BREACHES OF THE LAW."
IT CITES MUGABE'S FAILURE TO ENFORCE THE APRIL HIGH
COURT RULING TO EXPEL FARM INVADERS, AS WELL
COUNTERMANDING HIS MINISTERS' ORDERS TO THE POLICE TO
UPHOLD THE COURT RULING. THE DOCUMENT ALLEGES THAT
MUGABE MASTERMINDED THE CAMPAIGN OF PRE-ELECTION
VIOLENCE AND CITES HIS PUBLIC THREATS OF DEATH TO THOSE
WHO WOULD OPOSE HIM. THE DOCUMENT STATES THAT SHOULD A
COMMITTEE FIND THAT THESE ACTIONS DO NOT WARRANT A
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"WILLFUL VIOLATION OF THE CONSTITUTION," THEN MUGABE
SHOULD BE IMPEACHED ON THE GROUNDS OF "GROSS MISCONDUCT"
FOR ABUSING HIS POWER OF CLEMENCY (REFERRING TO HIS
RECENT PARDON OF THE PERPETRATORS OF POLITICAL VIOLENCE-
-SEE REF B), FOR DEPLOYING TROOPS TO THE DRC, AND FOR
CORRUPTION.

14. (U) PRESIDENT MUGABE'S REACTION WAS SWIFT AND
BELLICOSE. THE ZANU-PF YOUTH WING ASSEMBLED A GROUP OF
ABOUT 200 DEMONSTRATORS IN FRONT OF PARLIAMENT LATE ON
OCTOBER 25 TO DENOUNCE THE MDC. IN ADDRESSING THE CROWD
AFTER THE IMPEACHMENT MOTION WAS TABLED, MUGABE BLASTED
ZIMBABWE'S WHITES AND THEIR WESTERN SUPPORTERS, SAYING
THAT HE MAY REVOKE THE GOVERNMENT'S RECONCILIATION
POLICY. HE THREATENED TO PUT ON TRIAL IAN SMITH AND
OTHER WHITES FOR GENOCIDE AND OTHER WAR CRIMES COMMITTED
DURING THE LIBERATION WAR STRUGGLE OF THE 1960S AND
1970S. MUGABE FURTHER STATED THAT WHITES, SUCH AS MPS
DAVID COLTART AND MICHAEL AURET, WOULD "NOT BE FREE FROM
ARREST." HE ALSO BLAMED THE BRITISH AND AMERICANS FOR
HELPING THEIR WHITE FRIENDS TO DERAIL LAND REFORM AND
FOR TRYING TO "RE-COLONIZE" ZIMBABWE.

15. (C) BITI TOLD US OCTOBER 26 THAT THE MDC WILL

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APPROACH LEADER OF THE HOUSE PATRICK CHINAMASA TO SEE IF
THE ZANU-PF SIDE WILL WORK WITH THE MDC IN ESTABLISHING
THE PROCEDURE FOR IMPEACHMENT BEHIND THE SCENES. (THE
PROCEDURE IS NOT SPELLED OUT IN DETAIL IN THE
CONSTITUTION.) IF THEY WILL NOT AGREE, THEN THE MDC
WILL TABLE A SECOND MOTION ON OCTOBER 31 ASKING THE
STANDING RULES COMMITTEE FOR THE FOLLOWING: 1) AN
IMPEACHMENT COMMITTEE COMPRISED OF HOUSE MEMBERS IN
PROPORTION TO THE NUMBER OF EACH PARTY'S ELECTED SEATS,
2) THAT THE COMMITTEE THAT OPERATES IN A QUASI-JUDICIAL
MANNER BY CALLING WITNESSES TO A PUBLIC HEARING, 3) THAT
THE COMMITTEE RELEASE A REPORT OF ITS FINDINGS BY
DECEMBER 31, 2000 AND THAT THE FINDINGS BE OPENED UP FOR
DEBATE TO THE FULL HOUSE, AND 4) THAT THE VOTE OF
IMPEACHMENT BE CARRIED OUT BY SECRET BALLOT RATHER THAN
BY DIVISION (WHERE MPS STAND AND MOVE TO THE "YEA" OR
"NAY" SIDE OF THE CHAMBER).

16. (C) SHOULD AN IMPEACHMENT VOTE REACH THE FLOOR AND PASS WITH A MINIMUM OF 100 VOTES, MUGABE WOULD IMMEDIATELY CEASE TO HOLD OFFICE. THE SENIOR VICE-PRESIDENT (SIMON MUZENDA) WOULD BECOME ACTING PRESIDENT UNTIL A PRESIDENTIAL ELECTION COULD BE HELD WITHIN 90 DAYS. BITI SAID THAT HE DOES NOT EXPECT MANY ZANU-PF MPS TO CROSS THE AISLE AND VOTE FOR IMPEACHMENT (AT LEAST 43 WOULD HAVE TO DO SO FOR THE MEASURE TO PASS) BECAUSE MUGABE MOST LIKELY ISSUED VEILED THREATS AT HIS CAUCUS WITH THEM OCTOBER 25. THE MDC DOES NOT REALISTICALLY EXPECT PARLIAMENT TO REMOVE MUGABE FROM OFFICE, BITI REITERATED, BUT ITS OBJECTIVES IN PURSUING
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IMPEACHMENT ARE TO BRING PRESSURE AGAINST MUGABE TO RESIGN, TO EXPOSE HIS MISDEEDS OF THE LAST YEAR, AND TO FORMALLY SPELL OUT THE PROCEDURE FOR PRESIDENTIAL IMPEACHMENT. EDDIE CROSS, ONE OF THE MDC'S MORE RADICAL MEMBERS, TOLD US THAT IF MUGABE DOES NOT AGREE TO STEP DOWN BY THE END OF THE YEAR AND CALL NEW ELECTIONS, THE MDC WILL ORGANIZE MASS PROTESTS TO FORCE HIM OUT.

17. (C) COMMENT: ALTHOUGH WE HAVE SEEN NO DISCERNIBLE PUBLIC REACTION TO THESE EVENTS IN THE FORM OF PROTESTS OR CELEBRATIONS, THE POLITICAL ATMOSPHERE IN HARARE HAS BECOME MORE TENSE. PERHAPS AGAINST THE WISHES OF ITS MORE MODERATE MEMBERS, THE MDC APPEARS TO BE ACCELERATING TO ITS END-GAME OF FORCING MUGABE FROM OFFICE. BY PURSUING IMPEACHMENT NOW, IT LEAVES ITSELF FEW ALTERNATIVES TO MASS ACTION IF IT WISHES TO HOLD ON TO ITS CREDIBILITY BEFORE THE SCHEDULED 2002 PRESIDENTIAL ELECTION. IT RISKS RAISING PUBLIC EXPECTATIONS TO A DANGEROUSLY HIGH LEVEL WHEN MUGABE SHOWS NO SIGNS OF RELINQUISHING POWER. MUGABE'S PUBLIC STATEMENTS ARE BECOMING INCREASINGLY EXTREME AS HE BECOMES MORE ISOLATED DOMESTICALLY AND INTERNATIONALLY, AND CONVEY AN AIR OF DESPERATION. IT WOULD NOT BE VERY PRACTICAL FOR MUGABE TO ABROGATE THE 1979 AMNESTY AGREEMENT THAT PARDONED BOTH SIDES, HIMSELF INCLUDED, OF CRIMES COMMITTED IN THE LIBERATION WAR STRUGGLE. IT REMAINS UNCLEAR HOW FAR MUGABE IS WILLING TO GO TO HOLD ON TO POWER, BUT THE LAST TWO MONTHS OF THIS YEAR COULD POTENTIALLY BE THE MOST IMPORTANT IN DETERMINING ZIMBABWE'S FUTURE.

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